



Appeal Decision

Inquiry held on 10,11,12 & 13 January 2023

Site visit made on 12 January 2023

by Graham Wyatt BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 March 2023

Appeal Ref: APP/U4610/W/22/3307272

Land South of Sutton Stop, Longford, Coventry, Warwickshire CV6 6DF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Brandon Planning & Development Ltd & Caddick Residential Ltd against the decision of Coventry City Council.
 - The application Ref OUT/2021/3041, dated 2 October 2021, was refused by notice dated 29 July 2022.
 - The development proposed is described as "outline application (with all matters reserved except access) for the erection of up to 262 dwellings, including the demolition of 294 and 296 Grange Road to provide new vehicular access, new public open space, drainage, landscaping, car parking areas and other works".
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Decision

1. The appeal is allowed, and outline planning permission is granted for the erection of up to 262 dwellings, including the demolition of 294 and 296 Grange Road to provide new vehicular access, new public open space, drainage, landscaping, car parking areas and other works at Land South of Sutton Stop, Longford, Coventry CV6 6DF in accordance with the terms of the application, Ref OUT/2021/3041, dated 2 October 2021, subject to the conditions in the attached schedule.

Preliminary Matters

2. On the final day of the inquiry the Council confirmed that it had withdrawn its objection to the development, provided that the appellant was willing to enter into an agreement under section 106 of the Town and Country Planning Act to secure various obligations and affordable housing, and that it would not object to planning permission being granted.
3. I have been provided with a completed legal agreement in the form of a planning obligation (the obligation), pursuant to section 106 of the Town and Country Planning Act 1990, which I will return to later in this decision letter.
4. Nonetheless, whilst it has been confirmed that there is no longer any material difference in position between the main parties, it will be necessary for me to consider the issues involved, not least as a number of concerns have been raised by interested parties.

Main Issues

5. The main issues in this appeal are:

- whether the proposal would prejudice the redevelopment of the remaining parcel of the allocated site by failing to plan positively to meet, in full, the requirements identified in the policies associated with the allocation, and
- the effect of the proposal on highway safety and the efficient operation of the highway network.

Reasons

Redevelopment of Remaining Allocation

6. The appeal site forms part of a parcel of land that is mainly laid to grass and bound by mature hedging and trees. To the south of the site is the M6 motorway which runs roughly east to west at this part of its length. The site is bounded to the west by Grange Road which itself runs north and south, connecting to Sutton Stop to the north. To the east and immediately adjacent to the appeal site is a further parcel of land that was granted planning permission in 2014 for a development consisting of a 225 berth marina, 24 dwellings, and 1.5ha of employment land (the marina site).
7. At the inquiry the Council's planning witness confirmed that the objection to the development was based solely upon prejudicing the development of the wider allocations of H2:7 and JE2:8 of the Coventry City Local Plan 2016 (the Local Plan) and that the development should be supported by a comprehensive masterplan.
8. In the adopted Local Plan, the appeal site and marina site are allocated for development under Policy H2 and are identified as Site H2:7 (Land at Sutton Stop) with the ability to provide 285 dwellings across the sites. Within this allocation, Policy JE2 of the Local Plan also identifies 1.5ha of employment land as Site JE2:8 (Land at Alderman's Green Road and Sutton Stop (part of mixed use site)).
9. The Local Plan Examination Statement (LPES) confirmed that allocation H2:7 was split into two halves and separated by a former railway line. This comprised the marina site to the east which was assessed as being able to provide a mixed use development, including 24 residential units. The site to the west is the appeal site and covers two promotions which were identified as being able to provide 260 dwellings between them. Thus, in accordance with Policies H2 and J2 of the Local Plan, across all three areas, the allocations could provide 284 dwellings and 1.5ha of employment land.
10. It is evident from the descriptor at Policy H2:7 that the appeal site is identified as being a total allocation that is linked to the permission at the marina and 1.5ha of employment land. Therefore, it is clear from the LPES and Policy H2:7 that the appeal site was considered separately from the marina site and was not intended to provide the 1.5ha of employment land, which itself is allocation JE2:8. Consequently, the appeal development

would not prejudice the delivery of the employment land, nor indeed the delivery of 24 dwellings also allocated on the marina site.

11. Furthermore, the appellant states that an attempt to engage with the adjoining landowner was made in 2017 which was ultimately unsuccessful. It is also evident that planning application OUT/2020/2038 was submitted in 2020, seeking a development of 311 dwellings, and various employment uses on the marina site. Although this application was withdrawn, it was nonetheless submitted without reference to the appeal site or engagement with its owners. I accept therefore that consideration of a comprehensive redevelopment of the appeal site and marina site, as required by Policy DS4 of the Local Plan, is unlikely to be fruitful where one party refuses to engage with the other party. In Addition, Policy DS4 ii. of the Local Plan states that, any site that is an allocation should plan positively to meet in full the requirements identified within the relevant policies associated with the allocation, which in this instance is Policy H2, which the proposed development would comply with.
12. The viability report (VR) submitted in support of the marina development also concluded that it was viable. As the appeal site has not been referenced within the VR, it is reasonable to assume that this would be without support from the appeal site. Furthermore, it is apparent that no other VR has since been produced to demonstrate that the marina site is unviable and/or seeks reliance on the deliverability of the appeal site for housing. Moreover, although planning permission for the marina development has since lapsed, it is evident that the Council was supportive of the submission of a masterplan which indicated this development, as it was considered to be in accordance with the site's total allocation.
13. In such circumstances, and in the absence of compelling evidence to the contrary, I am not persuaded that the proposed development at the appeal site would prejudice development of the marina site, nor the delivery of 1.5ha of employment land and 24 dwellings. Thus, the development would not be in conflict with Policies DS4, H2 and JE2 of the Local Plan, which seek, amongst other things, to ensure that developments are planned on a comprehensive basis which does not prejudice the delivery of other allocations.

Highway Safety

14. Policy H2:7 of the Local Plan states that development will need to ensure that highways access and provisions are suitable for the site. In addition, the Policy states that "*this could include remodelling of the junction at Sutton Stop and Grange Road and at Alderman's Green Road*". Grange Road runs north to south on the western side of the appeal site and as a consequence of its narrowness, cars tend to park on the pavement to allow vehicles to pass one another as they travel along the road.
15. The development seeks to create a new access onto Grange Road, and to ensure that adequate sight lines are provided, it is proposed to demolish 294 and 296 Grange Road. The new access would be some 140m in length where it would split to create a ring road within the site. Thus, the proposed access would comply with the advice within the Council's 2010 Highway

Design Guide requirements for a maximum access length of 180m to serve a cul-de-sac.

16. Furthermore, it is apparent that parking on Grange Road is an existing problem that is likely to continue should the appeal site be built out or not. Although the development has the ability to increase traffic onto Grange Road, from the evidence before me, the vast majority of services and facilities such as schools, doctors' surgery, shops, and public transport options, including Coventry railway station, exist to the south of the site. Thus, it is highly probable that traffic would turn left out of the appeal site rather than turning right where few facilities exist, thus avoiding that part of Grange Road where parking problems occur.
17. Additionally, the site is close to existing shops and transport links, with bus routes to the city centre. Thus, it is accessible for pedestrians and cyclists through the single point of access off Grange Road by non-car modes. Moreover, the indicative layout also demonstrates that the proposed development could provide adequate parking within the site. Also, subject to road improvements, Warwickshire County Council did not raise any objection to the potential effect of the development on the wider road network such as the Longford Road/Oakmoor Road junction to the south of the site. In the absence of evidence to the contrary, I am satisfied that this particular matter is acceptable and can be dealt with via a suitably worded condition, such as that suggested by the parties.
18. Therefore, subject to the access on Grange Road being created and retained in accordance with the submitted drawings, I am satisfied that an access into the site from Alderman's Green Road is not required. Nevertheless, although not strictly required, an access into the site from Sutton Stop is proposed as part of the development. This would be restricted to emergency vehicles only and is also the subject of a planning condition to ensure that it is created and retained.
19. Thus, having considered the proposed access, which is suitable to serve the site, the development would not result in harm to highway safety. It would not be in conflict with Policies AC2 and H2:7 of the Local Plan which seek to ensure that a suitable access into the site is provided and that they do not cause unacceptable levels of traffic congestion.

Other Matters

20. I have carefully considered the representations put forward by those that spoke at the inquiry. However, it has to be acknowledged that it was never the intention of the appeal site, as part of two allocations considered at the LPES, to provide a marina or employment land. Moreover, although the owner of the adjoining land stated that there are no financial limitations to developing the marina site, there is nothing before me to demonstrate that its deliverability is in any way predicated on, or linked to, the delivery of the appeal development.
21. Turning to the keeping of horses on the site, the evidence before me indicates that they are kept without permission from the landowner and is

therefore a private matter between those parties affected. Furthermore, the ecological surveys have not revealed the presence of badgers on the site.

22. There was dispute between the parties as to whether or not the Council could demonstrate a five-year supply of housing land. However, for the reasons set out above, the proposal would accord with the relevant policies of the development plan. Paragraph 11 of the National Planning Policy Framework states that development proposals which accord with an up-to-date development plan should be approved without delay.

Planning Obligation

23. The planning obligation provided by the parties requires the delivery of various financial contributions in accordance with Policies IM1 and H6 of the Local Plan, which themselves seek the provision of infrastructure and its delivery, and the provision of affordable housing respectively.
24. The obligation would secure on-site affordable housing at not less than 25% of the total number of dwellings, which would accord with Policy H6 of the Local Plan. 15% of the affordable dwellings would be split equally as affordable rented housing and/or social rented housing, and intermediate housing. The remaining 10% of the affordable dwellings would be First Homes.
25. The obligation also requires financial contributions that would be collected by Coventry City Council. Such contributions would be directed towards Air Quality Management, education, highway improvements, travel plan monitoring, the NHS, and sustainable transport provisions. This would accord with the provisions of Policy IM1 of the Local Plan.
26. Given the policy requirements and the infrastructure needs arising from the development, I am satisfied that all of the above obligations are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development. They would accord with Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended). Therefore, I can take all of the proposed obligations into account as part of my decision.

Conditions

27. The Council has suggested a number of conditions that I have considered in accordance with the Framework and the Planning Practice Guidance. I have amended the wording of some of the conditions in the interest of precision and clarity.
28. In addition to the outline implementation conditions (1), (2) and (3) it is necessary for certainty to define the plans (10) with which the scheme should accord. In the interest of highway safety, a construction management plan (8), the proposed access into the site (18), and an improvement scheme at Oakmoor Road junction (19) shall be agreed with the Council. Details of a proposed emergency access (20) shall also be agreed with the Council.

29. In the interest of the visual amenity of the area, conditions are necessary for the submission of details relating to samples of materials (11) and hard and soft landscaping (6). To protect human health, the development must be carried out in accordance with a ground condition assessment (13) and remediation (14) and (15) shall be agreed with the Council. Any contamination not previously identified must be notified to the Council (16). The Development must also be carried out in accordance with the Desk Top Study to ensure that any unexploded ordnance is identified (17).
30. In the interest of sustainable development, and to ensure a satisfactory residential development, information relating to specific requirements as set in condition (4) shall also be submitted to the Council for consideration. To prevent flooding, a drainage scheme shall be provided for the Council to agree, along with details relating to the management and maintenance of sustainable drainage features (5). The development shall also be carried out in accordance with the submitted Flood Risk Assessment (12).
31. In the interest of biodiversity and protected species, a Landscape and Ecological Management Plan (7) and a Construction Environmental Management Plan (9) and a biodiversity offsetting plan (21) shall be submitted to the Council.

Conclusion

32. Thus, in light of the above, the appeal is allowed.

Graham Wyatt

INSPECTOR

APPEARANCES

For the Appellant

Mr Giles Cannock KC ~ Counsel for the Appellant

He Called

Mr Mark Sitch BSc (Hons) Dip TP MRTPI

Mr Michael Jones BA (Hons) MRTPI

Mr Simon Tucker BSc (Hons) MCIHT

For the Council

Mr John Hunter ~ Counsel for the Planning Authority

He Called

Ms Joanne Orton MRTPI

Mr Neil Benison BSc (Hons) IEng MICE

Mrs Anne Lynch

Interested Parties

Cllr Linda Bigham ~ Coventry City Council

Nigel Vening ~ Banners Gate Highways and Transportation

Mike Lapworth ~ Lapworth Architects

Mr Ian Gibson ~ Owner of Former Power Station

Additional Documents

National Model Design Code Part 2 Guidance Notes, June 2021

National Design Guide, 2021

Schedule of Conditions

1. Approval of the details of the Appearance, Landscaping, Layout (including the internal road layout) and Scale (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced and the development shall be carried out in full accordance with those reserved matters as approved.
2. Application for approval of the reserved matters listed at condition 1 shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.
3. The development hereby permitted shall begin within 3 years of the date of this permission or within 2 years of the final approval of the reserved matters, whichever is the latter.
4. The reserved matters to be submitted in accordance with condition 1 shall include the following specific requirements and/or be supported by the following documents in so far as relevant to that matter:
 - i) The development shall provide at least 1.9ha publicly accessible green space on site
 - ii) The development shall provide at least 1.33ha informal open space and 0.53ha formal open space on site;
 - iii) a site wide phasing programme shall be submitted, which shall include:
 - details of the precise location and extent of individual development phases; - the extent of development within each phase and a description of the intended timing of the development and completion of each phase
 - permanent and temporary access arrangements to serve each phase of the development
 - any interim surface or boundary details relating to each phase of the development
 - details of pedestrian and cycle routes into and through the site connecting to the site to the east forming the wider allocation.
 - details of the timing of any off-site highway works required under this permission, a planning obligation or agreement under the highway act 1980;
 - a full ventilation strategy to detail how the ventilation requirements will be met given that windows must remain closed to achieve the noise standards.
 - iv) details of all existing trees and hedgerows to be retained;
 - v) details of the housing mix for both market and affordable housing units to include the type, tenure and location on the site of the affordable housing provision and the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;

- vi) Arboricultural Impact Assessment to assess the direct and indirect implications of trees upon the proposal and visa-versa, including locations for under-ground/ services, level changes within the RPA's;
 - vii) Arboricultural Method Statement
 - viii) Dimensioned Tree Protection Plan (to include protection measures during and after construction and any construction exclusion zones), site monitoring in accordance with British Standard BS5837:2012 - Trees in relation to design demolition and construction - Recommendations, which shall also include any proposal for pruning or other preventative works. The approved mitigation and / or protection measures shall be put into place prior to the commencement of any works and shall remain in place during all construction work.
 - ix) Details of cycle parking facilities and bin storage areas.
 - x) A package of measures to minimise the impact of the development upon local air quality. These measures shall have consideration of the following: - (i) Provision for electric vehicle recharging points or dwellings to be made 'EV-ready' so a power connection is available to install an EV charge point as required; (ii) 10% of parking provision to be for EV re-charging on non-residential development (iii) Use of low NOx boilers (to have a maximum dry NOx emissions rate of 40mg/kWh); (iv) A construction method statement demonstrating how dust and noise emissions are to be mitigated during construction.
 - xi) Details of where and how 'Secured by Design' standards will be incorporated into the development.
5. The reserved matters to be submitted in accordance with condition 1 shall include the following:
- a) A scheme for the provision of surface water drainage, incorporating SuDS attenuation techniques. There must be consideration of features such as green roofs, rain gardens and swales, for the management of surface water peak and total flows, biodiversity and water filtering, in accordance with Coventry City Council's adopted Supplementary Planning Document for 'Delivering a More Sustainable City'.
 - b) A detailed strategy for the long-term maintenance of the SuDS and other surface water drainage systems on site.
 - c) Development discharge rates to be managed to Qbar greenfield rates
 - d) Evidence the 1 in 100 year plus 40% climate change events will be held within the site boundaries
 - e) Provision must be made for the drainage of the site to ensue temporary increases in flood risk, on or off site, during the construction phase.
 - f) Surface water attenuation is to be located outside the 1 in 100 pluvial and fluvial flood extents.
 - g) All opportunities to undertake river restoration and enhancement including de culverting, removing unnecessary structures and reinstating a natural, sinuous watercourse should be taken

- h) Single discharge points will be discouraged on larger sites, as discharge points are to be located to best mimic the natural discharge condition.
 - i) A minimum 8m way leave must be provided from the top bank of any main river.
 - j) An appropriately scaled intrusive ground investigation report to establish the depth and type of strata, including percolation results in accordance with BRE 365 and the presence and risk associated with migrant contaminants. Evidence of existing groundwater levels and 12 month seasonal variation monitoring to inform the drainage design to ensure the development will not increase or cause groundwater flood risk on site or off site.
 - k) The development must be considered for the implementation of permeable paving or similar permeable material for the management of total surface water flows, and water filtering in accordance with Coventry City Council's adopted Supplementary Planning Document for 'Delivering a More Sustainable City'.
 - l) Evidence to show the management of overland flow routes in the event of exceedance or blockage to the drainage system. Details should include demonstration of how the building will be protected in such an event. Finished floor slab levels must be 300mm above the 1 in 100 year pluvial flood levels.
 - m) Where new or redevelopment site levels result in the severance, diversion or the reception of natural land drainage flow, the developer shall maintain existing flow routes (where there are no flood risk or safety implications) or intercept these flows and discharge these by a method approved by the Local Planning Authority.
 - n) The drainage strategy should not result in top water levels of attenuation structures being above the natural ground level and must achieve a 300mm freeboard, in relation to this existing ground level, at the 1 in 100 year plus climate change event.
 - o) Foul drainage plans. The drainage details shall be installed in full accordance with the approved documentation prior to occupation of the development and thereafter shall be maintained and shall not be removed or altered in any way.
6. Any landscaping (other than the planting of trees and shrubs) including the erection of boundary treatment, and the installation of paving and footpaths referred to in condition one shall be completed in all respects, within three months of the first occupation of a dwelling and all tree(s) and shrub(s) shall be planted within the first planting season following that first use. Any tree(s) or shrub(s) removed, dying, or becoming; in the opinion of the Local Planning Authority; seriously damaged, defective, or diseased within five years from the substantial completion of the scheme shall be replaced within the next planting season by tree(s) or shrub(s) of similar size and species to those originally required to be planted. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS 8545:2014 Trees: from nursery to independence in the landscape - Recommendations and BS4428 - Code of Practice for General Landscape Operations.

7. The landscaping reserved matters shall include a combined ecological and landscaping scheme (ELS) and Landscape and an Ecological Management Plan (LEMP), shall be submitted to and approved in writing by the Local Planning Authority. The ELS scheme shall include all aspects of landscaping including details of any compensation for biodiversity loss, including the erection of bat boxes and/or bird nesting boxes (to include box type, numbers, location, and timing of works). The LEMP shall include:
- a) Description and evaluation of features to be managed;
 - b) Ecological trends and constraints on site that might influence management;
 - c) Aims and objectives of management, including mitigation and enhancement for species identified on site;
 - d) Appropriate management option for achieving aims and objectives;
 - e) Prescriptions for management actions;
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a ten-year period);
 - g) Details of the body or organisation responsible for implementation of the plan, along with funding mechanism(s) for that body or organisation;
 - h) Ongoing monitoring and remedial measures, including where monitoring shows that conservation aims and objectives of the LEMP are not being met.

The LEMP plan shall be implemented in strict accordance with the approved details within three months of the first occupation of the development and thereafter shall not be withdrawn or amended in any way. The approved scheme shall be fully implemented in strict accordance with the approved details prior to the first occupation of the development and thereafter shall be retained and shall not be removed or altered in any way.

8. Prior to commencement of development a Construction Management Plan (CMP) shall be submitted to and approved in writing by the local planning authority. The CMP shall include details of:
- hours of work;
 - hours of deliveries to the site;
 - the parking of vehicles of site operatives and visitors during the demolition/construction phase;
 - the delivery access point;
 - the loading and unloading of plant and materials;
 - anticipated size and frequency of vehicles moving to/from the site;
 - the storage of plant and materials used in constructing the development;
 - the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate;
 - wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway;

- measures to control the emission of dust and dirt during demolition and construction;
 - measures to control the presence of asbestos;
 - measures to minimise noise disturbance to neighbouring properties during demolition and construction;
 - details of any piling together with details of how any associated vibration will be monitored and controlled; and
 - a scheme for recycling / disposing of waste resulting from demolition and construction works. Thereafter, the approved details within the CMP shall be strictly adhered to throughout the construction period and shall not be amended in any way.
9. The development shall proceed in full accordance with a Construction Environmental Management Plan (CEMP) which shall first be submitted to and approved by the local planning authority. The CEMP shall include the following:
- (a) a risk assessment of potentially damaging construction activities;
 - (b) identification of biodiversity protection zones (e.g. buffers to trees and hedges or to protected wildlife habitat);
 - (c) practical measures (both physical measures and sensitive working practices, such as protective fencing, exclusion barriers and warning signs) to avoid or reduce impacts during construction (particularly in relation to works within canopy and root protection areas for hedgerows or protected trees);
 - (d) the location and timing of sensitive works to avoid harm to biodiversity features (in relation to breeding birds in particular);
 - (e) the times during construction when specialist ecologists need to be present on site to oversee works (as required);
 - (f) responsible persons and lines of communication; and
 - (g) the role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person (as necessary). The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.
10. The development hereby permitted shall be carried out in accordance with the following approved plans: location plan (001-Rev A); site access drawings (18179-02-Rev D).
11. The reserved matters application seeking approval of appearance shall include sample details of all facing and roofing materials. Thereafter the development shall be carried out in full accordance with the approved details.
12. The development shall be carried out in accordance with the submitted flood risk assessment (Document titled "Brandon Planning & Development Limited & Caddick Residential Ltd Sutton Stop Coventry Flood Risk Assessment", Document Reference BMW-2747_FRA , document dated 24/08/2021) and the following mitigation measures it Details; No built development shall take place within a 50m easement from the ordinary

watercourse along the south east boundary unless it is supported by a hydraulic model showing that this would be safe for 3rd parties and any future users of the site including any required mitigation measures. These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

13. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
 - (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land,
groundwater and surface waters, ecological systems, archaeological sites and ancient monuments;
 - (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's Guidance Land Contamination: Risk Management, LC:RM

14. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
15. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the

effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

16. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 13, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 14, which is subject to the approval in writing by local planning authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing by the local planning authority in accordance with condition 15.
17. The development shall be carried out in accordance with the recommendations of the Desk Top Study by ASL, reference 334-20-660-11Rev1;
 - that the potential risks from UXO at the site should be communicated to all stakeholders and the project planner so that appropriate health and safety precautions as set out in the Explosive Ordnance Desk Top Study report may be taken during the development.
 - UXO safety awareness training should be given to all site personnel involved with intrusive earthworks at the site as part of any future development works. Appropriate discovery strategy, emergency procedures and work permits should be in place as part of the development works.
 - all excavations at the site associated with the proposed development including investigation works are cleared and undertaken under the supervision of an appropriately qualified UXO contractor.
18. Prior to commencement of the development, the detailed design of the site access (as principally shown on Drawing 18179-2 Rev D) shall be submitted and agreed with the LPA. The agreed details shall be implemented prior to the occupation of the first dwelling and retained thereafter.
19. Prior to the commencement of development details of the proposed improvement scheme at Oakmoor Road junction (as shown on drawing 18179-07), shall be submitted to and approved by the LPA. The approved works shall be implemented in accordance with a programme approved by the local planning authority and retained thereafter.
20. Prior to commencement of development, details of an appropriate emergency access (as shown on drawing 18179-11) shall be submitted to and approved by the LPA. The emergency access shall be completed in full accordance with the approved details prior to the occupation of any of the

dwelling hereby permitted and shall be maintained and kept available for the lifetime of the development.

21. No development shall commence until a biodiversity offsetting scheme has been submitted to and approved by the local planning authority. The scheme must comply with the following:
- i) A further ecological survey shall be carried out between the months of April to June prior to submission of the first Reserved Matters submission and that survey shall be submitted to and approved in writing by the local planning authority.
 - ii) The Reserved Matters to be submitted in accordance with Condition 1 shall include a Biodiversity Impact Assessment carried out in accordance with the Warwickshire Biodiversity Offsetting Metric to measure the impact on biodiversity within the site;
 - iii) The Reserved Matters shall either include an area of land to be made available within the site to offset the BIA calculated in accordance with "ii)" above or a mechanism to address the impact of the BIA with offsite provision.
 - iv) The proposals shall include a management plan for the provision and maintenance of offsetting features for any onsite features for not less than 30 years from the date of implementation.

Thereafter the development shall be carried out in full accordance with the approved Biodiversity Offsetting Scheme."

~End~